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MASSACHUSETTS COMMISSION ON INDIAN AFFAIRS

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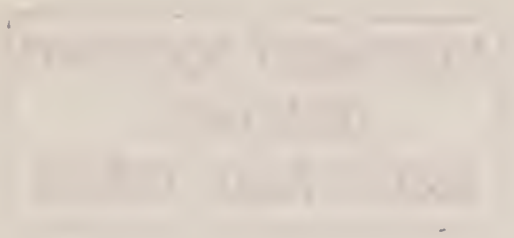
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The Massachusetts Commission on Indian Affairs was established by an Act of legislature and officially sworn into office November, 1974, with a mandate to assist the Native American population of the Commonwealth in their dealings with state and local governments and provide assistance to Tribal Councils, Native organizations and Native individuals in their concerns and affairs. Membership of the Commission consists of seven Commissioners and three staff members, all who are Native People.

In compliance with Chapter seven section thirty-nine of the General Laws of the Commonwealth of Massachusetts, the following annual report is submitted.

The following report consists of the activities of the Commission on Indian Affairs during the 1975 calender year.

Although hampered by the lack of State appropriation the Commission has taken several positive directions in the areas of Education, Human Services, Law Enforcement, Grants, Administration, Housing, Employment

Elder Affairs, the Conducting of a Native American Census, Appointments of Native people, and has established positive relationships with the state legislature, state agencies, and federal agencies. The Commission has, to the best of its ability, maintained its deep commitment to its Native constituency in providing technical assistance and legal and referral assistance to Native organizations, Tribal Councils and Native individuals.

GRANTS

The most significant developments have been the award of \$31,000 in grant money from Federal and State governments to the Commission on Indian Affairs. The largest of these grants was \$30,000 received from the US Department of Housing and Urban Development (HUD) for the purpose of conducting a census of Native people residing in the Commonwealth. Since the taking of the census has been deemed by the Commission to be the highest priority, the Commission now has the opportunity to achieve a major goal in its relatively short existence. Once the exact number of Native people and their socio-economic characteristics become known, a statistical foundation will enable the Commission to determine basic programs in the areas of education, employment, housing, and social services. More information concerning the census will be discussed later in the report.

The additional \$1,000 was secured from the Department of Community Affairs to conduct a Native leadership training conference. The project enabled Native leaders to become acquainted with Federal and State laws, regulations and policies as they pertain to the Native

people of Massachusetts and to obtain advice relative to strategies that might be employed to maximize the flow of governmental benefits to Native Americans.

ADMINISTRATIVE

Resulting from a meeting between Governor Dukakis and the Commissioners was a proposal to transfer the Commission on Indian Affairs from Administration and Finance to the Department of Community Affairs in an effort to benefit the Commission in absence of appropriations from the legislature. Secretary Flynn not only agreed to provide the support which the Governor's Office had been rendering, but to supply secretarial services and a certain amount of in-state and out-of state travel monies. This increase in available resources still left the three staff positions and the per diem allowance for the Commissioners as budgetary items unfunded. DCA has included provisions of per diem allowances for the Commissioners and provisions for budgetary funding within the Department's budgetary request for fiscal year 1977.

EDUCATION

H2254, a bill to establish full tuition scholarship for North American Native people living in the Commonwealth, was approved by the Committee on Education but was blocked in the Committee on Ways and Means for the reason that the Board of Higher Education refused to support it. It is standard procedure for the Committee to seek opinion from the Board on bills dealing with scholarship programs. The Board's policy is to oppose scholarship bills that single out specific groups, for the argue that their existing program fulfills the needs of all lower income families. However, eligible Native American students' for scholarships are most often unfairly subjected to the competition levels among other dis-advantage or minority students, a circumstance which prevents potential Native students from attending institutions of higher learning because they simply can not compete.

Through a series of discussions with Board members, agreement was made that a recruitment effort be aimed at potential Native students in the fall. It is hopeful that a network be established to include the Board staff, the Commission staff and an individual in each Tribal Council and Native organization for the purpose of

providing relevant information concerning scholarships to Native people. In addition, it was promised that the Board would provide speakers to visit local groups to explain qualifications and allocation procedures.

However, this arrangement is not to be interpreted to mean that the Commission has forsaken the concept of creating a separate Native American Scholarship Program such as the one in operation in Maine. The Commission will refile its bill in the next session of the Legislature and undertake efforts to overcome the Board's objections.

The Commission has delivered to the divisions of Adult and Vocational Education within the Executive Office of Education, memoranda that outline the needs of Native people in these crucial areas.

The Division of Adult Education has responded by reaffirming its intention to establish Native Adult projects in Boston and Mashpee. Further the Division head has indicated that it may be possible to generate satellite learning centers in other communities where there is demonstrated to be a sizable and recognizable Native population with adult education needs. The Division considers Native American programming as a priority objective for 1976.

As to the vocational education memorandum, the Commission has yet to receive any positive response aside from a thank-you note for submitting testimony. The Commission has placed emphasis on the vocational needs of Massachusetts Native Americans since there are no accessible vocational training facilities in the State that services Native people seeking a vocation trade.

With so many Native concerns that pertain to education, a letter was sent to Secretary Parks explicating the Commission's interest in exploring the possibility of creating a Native American Desk within his office. However, the correspondence was mailed prior to the legislative directive that each secretariat cut 20% from its budget; a circumstance which killed any chance of this possibility at this time.

The Commission, however, met with the Assistant Secretary of Education to express the interest of Native American relative to education. Although it was stated that a Native American Desk could not be established purely for budgetary reasons, no preclusion was made as to the implementation of this possibility in the future.

It was suggested by the assistant secretary that a liason be engendered between the Commission and his office to hear the needs of the Commonwealth's Native people. The Commission considers this liason as being the first step which will eventually establish strong Native influence in the Office of Education.

HOUSING

The Massachusetts Housing Finance Agency (MHFA) will notify the Commission and the local Native organization of the units available in each housing development built with the aid of MHFA funds. In using a set formula, the agency will subsidize the difference between the due rent and the amount that a family can afford to pay.

The MHFA affirmative action marketing specialist has assented to become part of a network comparable to the mechanism previously mentioned related to the Board of Higher Education. The Commission is seeking to establish housing specialists in each Native organization who would be contacted when openings arise in MHFA sponsored housing. The development of this

system would provide Native people to take maximum advantage of housing opportunities. Because of the complexities of governmental regulations and rules pertaining to Housing, discussions with MHFA were held as to the possibilities of establishing a training program to aid these designated housing specialists.

The feasibility of creating an Indian Housing Authority in the Commonwealth was discussed with officials from the Department of Community Affairs, MHFA, the Federal Regional Council and the Lt. Governor's Office. Legal assistance from MHFA has been offered to aid the Commission's staff in the draft preparation of Legislative bill. If an Indian Housing Authority materializes, it would be eligible to receive a portion of the \$30 million allocated nationally for housing authorities.

EMPLOYMENT

MHFA is also responsible for insuring that the work force in each MHFA sponsored project consists of at least 20% minority workers. The agency has the power to halt an entire project if there exists failure in compliance with its regulations. MHFA has agreed to

notify each Native organization and Tribal Councils of job openings within its geographical area.

In an executive Order issued by the Governor, a provision was made that each State construction project would have at least a 30% minority work force.

Meetings were held with the Assistant Secretary of Transportation in efforts to supply a number of opportunities to Native workers. Because of the high rate of unemployed Native construction workers, these programs could significantly alleviate severe unemployment among the Native American population.

The Department of Community Affairs has also advised the Commission on the availability of job openings within their Departmental structure.

HUMAN SERVICES

The Commission has been actively involved in the planning process to develop a State plan for the new federal Title XX program. The Commission has submitted a memorandum to the Secretary of Human Services, depicting Native service needs and suggesting ways that these needs might be met.

LAW ENFORCEMENT

An agreement has been reached with the Boston Legal Assistance Project to provide free legal assistance to Native Juvenile offenders and to poor Native adults in non-crimiminal matters. The Commission also encourages Native people to take police examinations. Natives living in the Boston area are particularly encouraged to apply in order to develop grounds upon which to ask for Native preference.

Boston, Blacks, and Hispanic applicants receive preferential treatment in the hiring practice, as a result of a law suit. A lawyer in the original suit has stated that if a Native American were to take the exam and fail, this would be sufficient cause to either file a new suit or join the old one.

ELDER AFFAIRS

The Department of Elder Affairs has expressed a desire to better serve the Native American community. The Secretary of Elder Affairs has requested the name of a Native individual to sit on the Department's Advisory Board. In addition, meetings have been

arranged with Home Care Specialist and the Commission is hopeful to meet with the Assistant Secretary in the near future.

FUNDING

The Commission suffers a severe handicap from the lack of appropriations from the Commonwealth. Because of this status, the Commission has served in a referral capacity to the Tribal Councils, Native organizations and Native individuals seeking assistance, has represented Native claims in dealing with State and local authorities, has provided technical assistance to Tribal Councils and Native organizations and has submitted proposals to federal agencies. However, because of its unfunded status, the Commission must continue to rely on emergency employment acts (i.e. CETA) and grants to fund staff salaries on a short-term basis. Presently, the only position now funded is of the Director, which is due to expire on June 30, 1976. In the past, the Commission carried three staff positions: Executive Director, Research Specialist and Administrative Assistant. At that time, positions were funded by the Emergency Employment Act and CETA. Two of the positions

have terminated because of the expiration of funds.

During the 1975 calendar year, the Commission made several attempts to achieve funding from the State by submitting bills to the legislature and testifying at budget hearings in the Governor's Office (such as H5922 that would have allowed the Commission to receive and expend federal grants and public/private donations. The bill asked for no appropriations from the Commonwealth but only for the establishment of an account for the Commission). None of the attempts have been successful, however, the Commission expects to continue this process during 1976.

The office supplies and maintenance of office utilities are supported by the Department of Community Affairs. However, the Department has been able to provide for limited out-of-state travel which is essential for acquiring federal funds. It is important for the Commission to seek a significant degree of visibility in Washington and with the various funding agencies, which has been the case with other Native groups, (for instance, with investments in travel and salaries, the Mississippi Band of Choctaws, urban Natives in Minneapolis and Chicago and tribes

in Maine were able to procure sizable portions of federal revenue). The Commission estimates that \$15million or more could be attracted to the Commonwealth with a nominal portion of state funding (during 1975, the Commission requested a budget of \$60,000 what would have paid for the salaries of three staff people, per diem allowances for each of the seven commissioners, office maintance and supplies, and in-state and out-or state travel). In comparison to other state agencies, the figure request of the Commission and the Native people of the Commonwealth is not burdensome to the Commonwealth specially in view of the potential of the Commission to attract a sizable portion of federal monies.

CENSUS

The taking of the Census of Native people residing in Massachusetts was determined as a major goal of the Commission. This goal is being accomplished through a \$30,000 grant from the US Department of Housing and Urban Development (HUD). The important of a census has many valuable and far reaching effects which would result in the improvement of the Health, Education, Employment and other social service

programs among the Commonwealth's eligible Native population which currently suffers from inadequacies of these services. Furthermore, because of the apparent underenumeration in the 1970 federal census claiming only a 4,500 total Native population, an accurate count of Native people would serve to increase Federal increase monies specially earmarked for Native Americans. The present funds are far below the entitlement owed to Native Americans in the Commonwealth because allocations are based on numerical figures. Native leaders estimate total population figures for the Commonwealth between 8,000 to 14,000 people with Boston having a population of 4,000 Native people alone. To date, there has been no federal, state or local census figures which have accurately portrayed the Native population of the Commonwealth and their needs.

Because of its unfunded status, direct application could not be made to the funding source. The grant was applied for, approved and administered through the Department of Community Affairs with the Commission in charge of the actual programing and conducting of the census. Aided by the Secretary of State's Office

and the Staff of Community Affairs, the Commission staff spear-headed by Commissioner Cisco-Brough, developed the procedures of collecting census data, analyzing that data and formulating the questionnaire. The Department of Community Affairs applied for this grant in 1974; the application was approved and the target date set for Januar 1, 1975, to expire December 31, 1975. However, due to a technical error, the funding was not forwarded until July 1, 1975. The Commission requested and was granted an extention for the project to June 30, 1976. The development of the form, procedures, interviewing of census-takers and the selection of the interviewers was completed by October. A training session conducted by Commissioner Cisco-Brough was held for the interviewers and immediately afterwards, the interviewing process began. Enclosed in this report is a copy of the final of six pages and a total of twenty-six questions. The average length of time to complete one form is one half-hour depending on family size. Questions covered in the forms cover a bored area of socio-economic characteristics which are reflective

of the general areas of basic needs of the Native population. The questionnaire is designed to reveal the extent of those needs in order to determine the best possible solutions based on the available resources that could be employed to meet those needs. It is extremely important for the Commission to know the full extent of the needs and problems of the Native population if the Commission is to carry forth its mandate and to maintain vital documentation to ascertain recognition of these problems and needs by state and local governments.

The Census project had undergone an initial five-hundred-form test period to assess possible obstacles which might inhibit a smoothly flowing amassment of data. This initial process was completed by December. At that time a meeting was arranged with the interviewers to determine what problems had materialized. No serious obstacles were noted and the additional forms were processed with minor alterations and delivered to all the interviewers. However, during the second phase of the census project, obstacles began to inhibit the census-taking; weather became a significant factor as many interviewers were

snow-bound and confined to their homes due to extreme cold; inability to locate people; apathy and suspicion among potential interviewers, low response from advertisements; personal problems and physical setbacks among some of the interviewers; uncooperative institutions which may have access to Native American people; and the transition of the Executive Directors. As a result of these obstacles, further meetings were initiated between the interviewers and the Commissioners as a means of effectively dealing with these problems. The solutions stemming from those meetings are presently under process. The actual census-taking period was scheduled for completion by the end of February, but many now need to be extended beyond this time.

APPOINTMENTS OF NATIVE AMERICANS

Throughout the 1975 year, the Commission was able to achieve significant strides in the appointment of Native people to advisory boards of agencies and departments of state government whose decision making affect the Native population. The Commission is proud to announce the appointments of Nannie Lammers to the

Advisory Board of Elder Affairs; Amelia Bingham, Commissioner, to the Advisory Board of the State's Office of Education; Will Basque, Commissioner, to the Advisory Committee for Juvenile Justice and Delinquency Prevention Act; and Joan Gentry, Mary Lopez, and Linda Jeffers to the Committee on Children and Youth. The Commission expects to seek more seats to advisory boards of state government.

TRANSITION OF COMMISSIONERS

In compliance with the enabling legislation... "that (a)ll of the members (of the Commission on Indian Affairs) shall be of American Indian descent..." the Commission drafted By-Laws to fulfill this legislative mandate. According to the By-Laws, in order to provide the necessary requirements to validate Indian descent, each Commissioner was requested to comply with one of the following criteria:

1. That he or she produce the birth or death certificate of a parent or grandparent which indicates that the individual so named was or is an Indian;

2. That he or she produce his or hers own birth certificate which indicates that the individual so named is an Indian:
3. That he or she be recognized or associated with an Indian Community:
4. That he or she be listed as an Indian on a Tribal roll.

All but two Commissioners complied with the above By-Law criteria. One Commissioner resigned and the vacancy was filled by Edith Andrews, Wampanoag; the other seat continues to be held adversaly to the By-Laws and the Law of the Commonwealth as so stated in the enabling legislation, by Clarence Moran. Aside from the eight months of continued uncooperation, Clarence Moran has been inactive in the affairs and the business of the Commission, violating another section of the By-Laws. Because the By-Laws were constructed to include seven Commissioners, the situation of Clarence Moran has often made important decision-making strenous for the Commission

Since the Governor is soley the appointing authority the only viable recourse was a formal request from the Commission to the Governor for the removal of Calrence Moran as a Commissioner. Although the Governor

insists that the Commission has ultimate responsibility for its "interal" affairs, the Governor's Legal Counsel is investigating the Commission's request in hopes of an equitable resolution.

TRANSITION OF EXECUTIVE DIRECTORS

On December 8th, the Executive Director resigned his position and an interim-Director was hired to maintain the operation of the Commission's office and to supervise the operations of the census until the appointment of a new director. The Commission undertook an extensive process of selecting a new director. This process included advertisements in the state's leading newspaper, to Tribal Councils and Native organizations to the Federal Regional Council and to the Coalition of Eastern Native Americans; the interview of selected candidates and the final appointment of a new director. On January 16th, the Commissioners selected Mr. Jacob Thompson, Oneida, as Executive Director.

MISCELLANEOUS

The Commission is now a part of the Commonwealth's A-95 review procedure. This A-95 process is a means

devised to afford agencies the opportunity to comment upon proposals submitted for the purposes of securing federal grant money by groups operating in the state. Unfortunately, with a small staff, the Commission is limited as to the number of proposals that can be reviewed; however, the Commission does monitor all requests seeking specific money geared to Native Americans. This process empowers the Commission to scrutinize the grant procurement activities of Native American organizations and alleged Native groups.

Lt. Governor Thomas O'Neill has expressed desired to write letters in support for proposals submitted by Native groups to federal agencies. He has also expressed desire to help the Commission in other ways such as with the Title XX program, with the Fall River/Freetown State Forest land and with federal agencies.

The Commission has provided impetus in the Bi-Centennial Commission in order to achieve and promote a positive image of the North American Native people. Public service television spots have been arranged by the Commission and delivered by Commissioner Wil Basque, to emphasize the plight of the Native people

in this year of the Bi-Centennial. The Commissions and committees throughout the Commonwealth to contact Native organizations nearest to their locality or the Commission when programming historical events involving the imagery of the North American Native people. Because many mistruths and misunderstandings continue to distort the historical relationship between the two peoples, it is imperative that proper measures be sought to implement a realistic image of the Native people of North and South America to insure a more positive relationship will exist.

Respectfully submitted,

Frank B. James

Frank B. James, Chairman

Jacob Thompson, Executive Director

Jacob Thompson

